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December 13, 2007

Hon. Richard M. Berman
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Foundling Hospital v. Riverbay Corporation
07 CV 2846 (RMB) (THK)

Dear Judge Berman:

As you know, we represent the plaintiff in this action. This letter is written at the suggestion of Magistrate Judge Katz.

The parties had a conference with Magistrate Judge Katz this morning. Magistrate Judge Katz is going to direct that the Riverbay Board of Directors meet prior to January 15, 2008 to decide whether they will agree to the proposed settlement in this matter. If Riverbay does not agree, Magistrate Judge Katz has scheduled a conference for January 15, 2008 at 3:00 p.m. at which all parties will attend.

At present, we have a conference scheduled before Your Honor on the morning of January 15, 2008. With the consent of the parties and Magistrate Judge Katz, we respectfully request that that conference be rescheduled to a date and time shortly thereafter in the event such conference becomes necessary.

Thank you for your courtesies.

Sincerely,

Robert L. Schonfeld
cc: Gerald Kahn, Esq.